

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION

Elnora Carthan; Rhonda Kelso, individually and as next of friend of K.E.K, a minor child; Darrell and Barbara Davis; Michael Snyder, as personal representative of the Estate of John Snyder, deceased; Marilyn Bryson; David Munoz; Tiantha Williams, individually and as next of friend of T.W., a minor child; Amber Brown, as next of friend of K.L.D., a minor child; Frances Gilcreast; EPCO Sales, LLC; Angelo's Coney Island Palace, Inc., on behalf of themselves and all others similarly situated,

Plaintiffs,

-vs-

Docket: 5:16-cv-10444-  
JEL-MKM

Hon. Judith E. Levy

Magistrate Judge Mona K.  
Majzoub

Governor Rick Snyder, in his individual and official capacities; the State of Michigan; the City of Flint; Daniel Wyant, in his individual capacity; Andy Dillon, in his individual capacity; Nick Lyon, in his individual capacity; Nancy Peeler, in her individual capacity; Liane Shekter-Smith, in her individual capacity; Adam Rosenthal, in his individual capacity; Stephen Busch, in his individual capacity; Patrick Cook, in his individual capacity; Michael Prysby, in his individual capacity; Bradley Wurfel, in his individual capacity; Jeff Wright, in his individual capacity; Edward Kurtz, in his individual capacity; Darnell Earley, in his individual capacity; Gerald Ambrose, in his individual capacity; Dayne Walling, in his individual capacity and official capacities; Howard Croft, in his individual capacity; Michael Glasgow, in his individual capacity; Daugherty Johnson, in his individual capacity; Lockwood, Andrews & Newnam, P.C.; Lockwood, Andrews & Newnam, Inc.; Leo A. Daly Company; Veolia North America,

LLC; Veolia North America, Inc.; Veolia Water  
North America Operating Services, LLC,  
Defendants.

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**JOINDER OF THE LAN DEFENDANTS IN THE MOTION OF THE VNA  
DEFENDANTS TO STRIKE PLAINTIFFS' PROPOSED CLASSES**

NOW COME Defendants Lockwood, Andrews & Newnam, Inc.,  
Lockwood, Andrews & Newnam, PC, and Leo A. Daly Company (the "LAN  
Defendants"), and hereby join in the Motion of Defendants Veolia North  
America, LLC, Veolia North America, Inc. and Veolia Water North America  
Operating Services, LLC ((the "VNA Defendants") to Strike Proposed Classes  
filed on August 2, 2019. (Doc. # 914) The LAN Defendants adopt all arguments  
raised by the VNA Defendants other than arguments premised upon the fact  
that VWNAOS only performed work for the City of Flint in early 2015. The  
LAN Defendants assert that the principal proposed class definitions and the  
subclass definitions are impermissible fail-safe classes. The LAN Defendants  
further assert that the principal proposed class definitions and subclass  
definitions are overbroad as to them where Plaintiffs do not request  
injunctive relief as to LAN. *See* Fourth Consolidated Amended Class Complaint,  
¶ 581. The LAN Defendants further assert that the issue class asserted by  
Plaintiffs is overbroad as to them.

Respectfully submitted,

/s/ Wayne B. Mason

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Dated: August 2, 2019

### **CERTIFICATE OF SERVICE**

I hereby certify that on September 29, 2017, I electronically filed **JOINDER OF THE LAN DEFENDANTS IN THE MOTION OF THE VNA DEFENDANTS TO STRIKE PLAINTIFFS' PROPOSED CLASSES** with the Clerk of the Court using the ECF system which will send notification of such filing to all attorneys of record.

By: /s/ Philip A. Erickson

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